

Filed for intro on 02/01/95
House Bill _____
By _____

Senate Bill No.SB0257
By Leatherwood

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 6, Part 1, relative to child visitation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 6, Part 1, is amended by adding a new section thereto, as follows:

Section _____. (a) Unless the court finds good cause to not grant visitation rights to the non-custodial parent, a rebuttable presumption shall be granted to the non-custodial parent that the following minimum visitation rights are reasonable:

- (1) Visitation with the child every other week-end;
- (2) Alternative visitation with the child on the holidays of Martin Luther King's Day, President's Day, Memorial Day, July 4th, and Labor Day;
- (3) Alternative visitation with the child on Thanksgiving, which shall include the Friday immediately following the day of Thanksgiving;
- (4) Alternative visitation with the child on Christmas with visitation for one parent beginning at 6:00 p.m. on the day of the end of school until 2:00 p.m.

Christmas Day and for the other parent beginning at 2:00 p.m. on Christmas Day until 6:00 p.m. on January 1;

(5) The non-custodial parent shall have two (2) periods of visitation of two (2) weeks each in the months of June and July of each year; and

(6) The non-custodial parent shall have at least two (2) hours with the child on the child's birthday.

(b) If a judge determines the visitation rights in subsection (a) are not in the best interest of the child, then the judge shall make a written finding of fact why the non-custodial parent was not granted such minimum visitation rights.

(c) If the parties agree on visitation which is different than the visitation in subsection (a), then the judge may approve of such agreement without entering into the record a written finding of fact.

SECTION 2. This act shall take effect July 1, 1995, the public welfare requiring it.

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